

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q92816

Catherine FRYIRS, et al.

Appln. No.: 10/565,670

Group Art Unit: Unknown

Confirmation No.: Unknown

Examiner: Unknown

Filed: January 24, 2006

For: METHOD FOR THE PRODUCTION OF FOOD PRODUCTS HAVING REDUCED FAT  
CONTENT

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with copies of the corresponding Communications from Foreign Patent Offices (International Search Report for PCT/AU2004/000988 dated September 8, 2004 and Supplementary European Search Report for a corresponding European patent application EP 04737607), except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/565,670

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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**23373**

CUSTOMER NUMBER

Respectfully submitted,



Gordon Kit  
Registration No. 41,278

Date: January 18, 2007

Substitute for Form 1449 A & B/PTO  <b><u>INFORMATION DISCLOSURE</u></b> <b><u>STATEMENT BY APPLICANT</u></b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/565,670
				Confirmation Number	Unknown
				Filing Date	January 24, 2006
				First Named Inventor	Catherine FRYIRS
				Art Unit	Unknown
Examiner Name				Unknown	
Attorney Docket Number				Q92816	
Sheet		1		of 1	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,042,867	A	03-28-2000	HOSHINO, et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		WO	01/49131	A1	07-12-2001	KELLOGG COMPANY THE UNITED STATES OF AMERICA as represented by the SECRETARY OF AGRICULTURE	
		EP	1297754	A1	04-02-2003	BARILLA ALIMENTARE S.P.A.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		R.A. GRAYBOSCH, "Waxy wheats: Origin, properties, and prospects", Trends in Food Science & Technology Vol. 9, No. 4, 1998, XP-000922912, pages 135-142	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.